

Murray portrait given 16N rating

PRETORIA: The Film and Publication Board (FPB) has given the portrait by Brett Murray, which depicted President Jacob Zuma in a denigrating manner, a 16N rating. This announcement was made on Friday, 1 June 2012, by FPB Council chairperson, Thoko Mpumlwana. The rating means that persons under the age of 16 should not have access to the painting because it shows nudity



The 1.85m-high painting, titled *The Spear*, was part of Murray's *Hail to the Thief II* exhibition. It sparked national debate about the balance of constitutional rights to human dignity and freedom of artistic expression.

In making its decision, said Mpumlwana, the Classification Committee that was mandated with classifying this particular piece, considered provisions of the Constitution of the Republic, the Films and Publications Act and the classification guidelines that are used in the classification of content.

"The Film and Publication Board therefore presents that a classification rating of '16N' has been decided upon by the Classification Committee for the artwork by Brett Murray titled '*The Spear*' in its uncensored form.

"This classification is legally restrictive and dictates that persons below the age of 16 may not be exposed to this artwork. Secondly, 'N' represents nudity and is an advice impressed upon sensitive adult viewers who may make the choice to avoid exposure to nudity as content," said Mpumlwana.

While the painting has been defaced and removed from the Goodman Gallery where it was exhibited, said Mpumlwana, the FPB felt it necessary to continue with the classification of *The Spear* despite these developments.

She added that any persons or entities wishing to publish and exhibit images and/or replicas of this specific painting will in future have to put in place mechanisms to regulate access to the painting by members of the public below the age of 16.

Exhibitors would also be advised to be cognizant of both the manifest and latent reactions that this specific content has drawn, she added.

"Indeed the painting has gone viral and may be difficult to police and contain; however, that does not mean we must fold our hands and allow for further exposure of children and sensitive viewers who have not yet been exposed."

The FPB will engage its local and international partners, including the Internet Service Providers Association (ISPA), Wireless Application Service Providers Association (WASPA), Press Ombudsman and search

engines, among others, in seeking avenues to enforce this decision.

"As the Film and Publication Board, we have applied our minds and legislation to the best of our ability in coming to the above decision. We are confident that all requirements and principles as spelt out in the Film and Publications Act and the Constitution of the Republic have been considered and applied alongside the Classification Guidelines," she said.

She added that should the affected parties be dissatisfied with this decision, they have the right to appeal the Appeals Tribunal of the FPB within 30 days from today, in line with the provisions of the Film and Publications Act.

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